

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

No. CIV S-01-0507 LKK/KJM

vs.

DEATH PENALTY CASE

JILL BROWN, Acting Warden  
of California State Prison at  
San Quentin,

Respondent.

ORDER

Petitioner is a state prisoner under sentence of death. He seeks relief pursuant to 28 U.S.C. § 2254.

On September 15, 2004, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty days. Petitioner has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed September 15, 2004, are adopted in full; and

3 2. Petitioner's motion to strike is DENIED.

4 DATED: August 22, 2005.

5 /s/Lawrence K. Karlton  
6 LAWRENCE K. KARLTON  
7 SENIOR JUDGE  
8 UNITED STATES DISTRICT COURT  
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